

**IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas**

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MAY 08 2013

SC Court of Appeals

The Honorable Doyet A. Early, Circuit Court Judge

Case No. 2012-CP-23-07156

CHRISTINE WATTS

Respondent,

v.

**SONIC AUTOMOTIVE 2752 LAURENS ROAD, GREENVILLE, INC. d/b/a
CENTURY BMW**

Appellant.

**DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

Appellant Sonic Automotive 2752 Laurens Rd., Greenville, Inc. ("Century BMW") proposes the following be included in the Record on Appeal:

1. Order Denying Motion to Compel Arbitration, dated December 12, 2013
2. Order Denying Motion to Reconsider, dated November 3, 2013
3. Arbitration Agreement, dated June 25, 2005
4. Amended Complaint, dated October 28, 2006

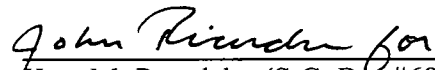
5. Notice of Motion and Motion of Century BMW to Dismiss the Amended Complaint and the Action, For Change of Venue, To Sever, To Strike, To Compel Arbitration, For a Protective Order and For Costs and Fees, dated December 29, 2006
6. Memorandum in Support of Century BMW's Motion to Compel Arbitration and to Dismiss Claims, dated February 12, 2007
7. Plaintiffs' Memorandum in Opposition to Motions to Dismiss, dated March 9, 2007
8. Reply Memorandum in Support of Century BMW's Motion to Compel Arbitration and to Dismiss Claims, dated March 26, 2007
9. Transcript of Proceeding, dated April 4, 2007, pp. 70-74
10. Order Regarding Arbitration Motions, dated May 2, 2007
11. Supplemental Memorandum in Support of Century BMW's Motion to Compel Arbitration and to Dismiss Claims, dated November 27, 2007
12. Plaintiff's Supplemental Memorandum in Opposition to Century BMW's Motion to Compel Arbitration, dated November 28, 2007
13. Transcript of Proceedings, dated November 30, 2007
14. Second Supplemental Memorandum in Support of Century BMW's Motion to Compel Arbitration and to Dismiss Claims, dated February 18, 2008
15. Plaintiff's Second Supplemental Memorandum in Opposition to Century BMW's Motion to Compel Arbitration (including Exhibits), dated February 19, 2008
16. Second Reply Memorandum in Support of Century BMW's Motion to Compel Arbitration and to Dismiss Claims, dated February 22, 2008
17. Plaintiff's Reply to Second Supplemental Memorandum In Support of Century BMW's Motion to Compel Arbitration, dated February 22, 2008
18. Order Denying Motion to Compel Arbitration, dated March 10, 2008
19. Appellant's Final Brief, dated October 6, 2008
20. Respondents' Final Brief, dated September 30, 2008
21. Appellant's Final Reply Brief, dated October 6, 2008

22. *Herron, et al. v. Century BMW*, 387 S.C. 525, 693 S.E.2d 394 (April 9, 2010)
23. Appellant's Petition for Rehearing, dated May 3, 2010
24. Respondents' Return to the Appellant's Petition for Rehearing, dated May 21, 2010
25. Appellant's Reply in Support of Its Petition for Rehearing, dated May 28, 2010
26. Order Denying Petition for Rehearing, dated June 9, 2010
27. Petition for a Writ of Certiorari, dated August 2010
28. Plaintiffs' Brief in Opposition to Petition for a Writ of Certiorari, dated October 1, 2010
29. Reply Brief for the Petitioner, dated October 2010
30. *AT&T Mobility LLC v. Concepcion*, 131 S. Ct. 1740 (April 27, 2011)
31. Supplemental Brief for the Petitioner, dated April 2011
32. Supplemental Brief for the Respondent, dated April 29, 2011
33. Order Granting Petition for a Writ of Certiorari and Vacating Judgment, dated September 2, 2011
34. *Herron v. Century BMW*, 395 S.C. 461, 719 S.E.2d 640 (2011)
35. Petition for Writ of Certiorari, dated March 2012
36. Brief in Opposition to Petition for Writ of Certiorari, dated April 2012
37. Reply Brief for the Petitioner, dated April 2012
38. Century BMW's Motion for Judgment on the Pleadings for Failure to Join An Indispensable Party Or, In the Alternative, To Compel Arbitration and Supporting Memorandum, dated May 14, 2012
39. Order Denying Petition for Writ of Certiorari, Dated May 21, 2012 (*Sonic Automotive, Inc. v. Watts*, 131 S. Ct. 2436)
40. Plaintiff's Memorandum in Opposition to Century BMW's Motion for Judgment on the Pleadings and Failure to Join as Indispensable Party Or, In the Alternative, To Compel Arbitration, dated November 15, 2012

41. Century BMW's Reply in Support of Motion for Judgment on the Pleadings For Failure to Join and Indispensable Party Or, In the Alternative, To Compel Arbitration, dated November 26, 2012
42. Transcript of November 28, 2012 Hearing
43. Century BMW's Motion to Reconsider the December 31, 2012 Order, dated January 10, 2013
44. Plaintiff's Memorandum in Opposition to Defendants' Motion for Reconsideration, dated January 22, 2013

I certify that this designation contains no matter that is irrelevant to this appeal.

Respectfully submitted,



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May 7, 2013

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CHRISTINE WATTS

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CENTURY BMW**

Appellant.

PROOF OF SERVICE

The undersigned employee of the law offices of Smith Moore Leatherwood LLP, attorneys for Appellant, do hereby certify that service of the Designation of Matter to be Included In the Record On Appeal was made on all counsel of record, specified below, by mailing a copy of the same by United States Mail, postage prepaid, to the following addresses:

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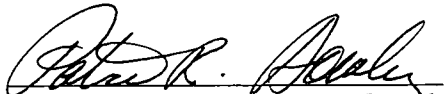
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DATED: May 7, 2013